

TOWN COUNCIL MEETING - WEDNESDAY EVENING - JULY 7, 2010

PRESENT: Marshall, Cordeiro, Parella, Barboza, and
Herreshoff

ALSO PRESENT: Diane C. Mederos, Town Administrator
Michael A. Ursillo, Esq., Town Solicitor
Marshall J. Netto, Town Sergeant

The Council met in regular session on July 7, 2010, in the
Town Hall, Council Chambers, beginning at 7:10 o'clock PM,
Council Chairman Marshall presiding:

Prior to the commencement of this evening's regular agenda,
Council Chairman Marshall presented the following
commendation and proclamation on behalf of the Council,
reading both documents into the record of this meeting:

Commendation - Mt. Hope High School Boys Lacrosse 2010
Division II State Championship,
continued from June 16, 2010

State of Rhode Island and Providence Plantations
Town of Bristol
Commendation
awarded to

Mt. Hope High School - Boys Lacrosse

in recognition of their achievement in winning the

Division II State Championship for 2010.

As the duly elected representatives of the citizens of the
Town of Bristol we hereby recognize and commend these
participants of the Mt. Hope High School Boys Varsity
Lacrosse Team upon their great success and extend the
heartfelt congratulations of an appropriately proud
community:

Players: Adam Almeida, Ian Almeida, Nilton Alves, Jon
Belmore, Aaron Booth, Austin Carreiro, Tyler Carriero,
Benjamin Choquette, Michael Cordeiro, Dennis Spencer, Gian
DiMezza, Colin Donahue, Trevor Edge, John Farias,
Christopher R. Ferreira, Jason Flanagan, Ryan Kuehl, Scott
MacGovern, James McCallum III, Dylan Micheletti, Karsten
Moritz, Benjamin Mosher, Theo Moskala, James Olson, Joseph
San Martin, Tyler Silva, Brendan Spina, William E. Sullivan,
Jonathan Teixeira, Keegan White-Obrien, Alan Williams

Head Coach: Scot Clark

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Assistant Coach: Michael Williams

In witness whereof we have hereunto set our hands and affixed the Seal of the Town of Bristol on adoption this 16th Day of June, A. D. Two-thousand Ten.

/s/ Diane C. Mederos, Town Administrator
/s/ Kenneth A. Marshall, Chairman
/s/ Raymond Cordeiro, Vice-chairman
/s/ Mary A. Parella, Councilwoman
/s/ David E. Barboza, Councilman
/s/ Halsey C. Herreshoff, Councilman
Attest: /s/ Louis P. Cirillo, CMC, Council Clerk

Council Chairman Marshall announced that the following Proclamation was presented to Bristol Good Neighbors at a 4th of July Celebration concert held on June 29, 2010.

Proclamation - Bristol Good Neighbors Soup Kitchen

State of Rhode Island and Providence Plantations
Town of Bristol
Proclamation

Whereas, The Bristol Good Neighbors Soup Kitchen has served the needs of people in our Town for twenty years, following and expanding upon the Helping Hands program founded some years earlier; and

Whereas, Bristol Good Neighbors has personified its name; and has sturdily, with hard work and unparalleled dedication, endeavored to assure that no neighbor will go without food in our Town; and

Whereas, Bristol Good Neighbors has been long-supported by the effort of scores of devoted volunteers and many talented and capable professionals, all who have run a superlative operation and provide their patrons with excellent food and genuine dignity; and

Whereas, Bristol Good Neighbors has been recognized for its many accomplishments by private citizens and community leaders alike; winning accolades and acclaim including the prestigious Hattie Brown Award by the Bristol Fourth of July Committee in 1996, and continues to fulfill its noble mission with unselfish love.

Now, therefore, be it hereby Resolved, that the Honorable Town Administrator and Honorable Town Council of the Town of Bristol, State of Rhode Island and Providence Plantations do

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hereby proclaim and make known that Bristol Good Neighbors Soup Kitchen is celebrating its twentieth anniversary on July 5, 2010, and extend to Bristol Good Neighbors their sincerest congratulations and best wishes in earnest; and

Be it further Resolved, that said Administrator and Council, by virtue of the authority vested in them, and as representatives of all of the citizens of Bristol, do further proclaim and tender to the Bristol Good Neighbors Soup Kitchen the greetings and felicitations of a rightfully proud community upon this most auspicious occasion.

In witness whereof we have hereunto set our hands and affixed the Seal of the Town of Bristol on adoption this 28th Day of June, A. D. Two-thousand Ten.

/s/ Diane C. Mederos, Town Administrator
/s/ Kenneth A. Marshall, Chairman
/s/ Raymond Cordeiro, Vice-chairman
/s/ Mary A. Parella, Councilwoman
/s/ David E. Barboza, Councilman
/s/ Halsey C. Herreshoff, Councilman
Attest: /s/ Louis P. Cirillo, CMC, Council Clerk

Councilman Cordeiro noted that the volunteers and staff that operate this soup kitchen are "unsung heroes" of the Town and deserving of this recognition. He added that they also provide a valuable service.

Resolution - John M. Day, Town Treasurer

Council Chairman Marshall noted that former Town Treasurer Day was unable to be in attendance this evening and noted that the presentation will be postponed until July 28, 2010.

Also prior to the commencement of this evening's regular agenda, Councilman Herreshoff suggested that the upcoming Special Meeting regarding the Town Charter, scheduled for July 14, 2010 at 6:00 o'clock PM might be rescheduled until July 15, 2010 also at 6:00 o'clock PM. The Council, by consensus, agreed to make the change.

Councilman Herreshoff also requested that two items might be added to this evening's agenda; these being items added as part of "old business" relating to the Tree Infestation and also the Town's funding match for LNG opposition.

Herreshoff/Barboza - Voted
unanimously to add these items to

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the agenda per the request of
Councilman Herreshoff.

Council Chairman Marshall requested that an invoice presented by Attorney DeSisto concerning the Mount Hope Trust also be added to the agenda.

Cordeiro/Herreshoff - Voted to add this item to this evening's agenda. Councilman Barboza renewed his earlier recusal concerning this matter.

It is hereby noted for the record that Town Solicitor Ursillo informed the Council that since this matter required the expenditure of funds it cannot be considered due to the advertising requirements of the Open Meetings Statute. It was agreed by consensus that this matter should be continued until July 28, 2010.

Boys State Program

Also prior to the commencement of this evening's regular agenda, Council Chairman Marshall recognized David Silvia representing the Rhode Island Boys State program.

Mr. Silvia thanked the Council for its contribution toward the success of this program and noted that five (5) boys and girls who attend Mt. Hope High School participated this year. He added that Carol St. Vincent, a local participant, was present this evening and would like to share her experience.

Ms. St. Vincent informed the Council that she prepared a bill concerning recycling in the public schools and that the bill did not "pass" in the model legislature. She thanked the Council, on behalf of the program participants, for the opportunity to take part.

Councilman Barboza thanked Mr. Silvia for his contributions to the program with Mr. Silvia responding that the program director was deserving of the credit.

Special Announcement re Family Circle Magazine

Town Administrator Mederos reported that *Family Circle* magazine named the Town of Bristol as one of the ten best places for families to reside in the United States. Council members observed that this was a great honor for the Town.

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Town Administrator Mederos noted that this recognition appears in the August issue of the magazine and that the Town was selected from among 1,700 nominees. She further stated that the Town was the only award recipient from the region and that it was selected due to its volunteerism and excellent school system.

Councilman Herreshoff observed that the Town is "quite wonderful" and that he was not at all surprised by its selection.

Also before the commencement of this evening's regular agenda, Council Chairman Marshall recognized the Town's departments for the successful 4th of July activities and also recognized the Town's 4th of July Committee.

Councilwoman Parella agreed, naming the various departments and also expressing amazement that the Town was particularly clean the day after the Parade and showed no sign of the many persons who had earlier been in Town.

Councilman Barboza stated that he "had the same notes" and that he agreed that the Committee should be thanked and congratulated.

Town Administrator Mederos agreed that the departments worked hard for a successful celebration. She also gave credit to the citizens and visitors who were respectful and utilized the trash containers provided.

Councilman Herreshoff noted that the rubbish problem has been abated due to the availability of the rubbish containers.

MOTION RE: CONSENT AGENDA - TO APPROVE THE CONSENT AGENDA

Cordeiro/Herreshoff - Voted
unanimously to approve the Consent
Agenda as prepared and presented.

Barboza/Herreshoff - Voted
unanimously to combine agenda items
B1 and B4 and also C2 and G1.

A. SUBMISSION OF MINUTES OF PREVIOUS MEETING(S)

1. Town Council Special Meeting - June 9, 2010
(preliminary - action items only)

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Cordeiro/Herreshoff - Voted
unanimously to continue this matter
until the meeting of July 28, 2010.

Prior to the vote taken, the Clerk noted that these minutes did not contain the representative dialogue and suggested that the matter might be continued for approval at the regular meeting to be held on July 28, 2010.

2. Town Council Meeting - June 16, 2010

Cordeiro/Barboza - Voted
unanimously to approve these
minutes as prepared and presented.

3. Town Council Special Meeting - June 24, 2010

Cordeiro/Barboza - Voted
unanimously to approve these
minutes as prepared and presented.

(CA) AA. SUBMISSION OF MINUTES-Boards and Commissions

Approval of consent agenda="Motion to receive and place these items on file."

1. Bristol Housing Authority - May 13, 2010
2. Bristol Housing Authority - May 24, 2010
(corrected minutes)
3. Harbor Commission - June 7, 2010
4. Bristol County Water Authority Board of
Directors - Annual Meeting, May 27, 2010
5. Bristol County Water Authority Board of
Directors - May 27, 2010
6. Bristol County Water Authority Audit Finance
Committee - June 2, 2010
7. Bristol County Water Authority Engineering
Committee - June 2, 2010
8. Bristol County Water Authority Public
Relations/Personnel Committee - June 2, 2010
9. Harbor Commission - Appeals Hearing, June 17,
2010

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10. North and East Burial Grounds Commission -
March 22, 2010
11. Animal Shelter Capital Project Committee -
May 24, 2010

B. OLD BUSINESS

1. Ellen Winsor, Jamestown Town Councilor -
request of LNG WG (LNG Working Group) to
review PowerPoint presentation and support
LNG resolution, **continued from June 16, 2010**
 - a. Joseph A. Arruda, President, Save
Bristol Harbor re support of resolution
 - ADD ITEM** b. Councilman Herreshoff re Save the Bay
matching funds program

*It is hereby noted for the record that this item was
considered together with agenda item B4.*

Herreshoff/Barboza - Voted
unanimously to support the
resolution as prepared and
presented.

Prior to the vote taken, Ms. Winsor addressed the Council
"as a private citizen" and explained that she is the founder
of the LNG Working Group and asked the Council's
consideration of adoption of the resolution. She noted that
the Group is concerned that the "eyes and lives" of those
living along the shores of Narragansett Bay are being
"assaulted" by the Weaver's Cove/Hess plans to bring large
LNG vessels and their associated accoutrements.

Ms. Winsor noted that the overall goal of this particular
resolution was that it would eventually be sent to the
Federal Energy Regulatory Commission and also to President
Barack Obama and that other East Bay Communities have
already adopted same and also the Pokonoket Tribe.

Ms. Winsor noted that the resolution reflects the thoughts
and research of those in opposition to the LNG proposal and
also that she was available to answer questions should the
Council wish for her to do so.

Councilman Herreshoff stated that the information appeared
to be reasonable and that he was generally in support of the
request for the Council to lend its approval.

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Town Solicitor Ursillo stated that the request of Ms. Winsor appeared to be a "no brainer" and that the resolution was similar to those adopted by the Council in the past.

Council Chairman Marshall suggested that Ms. Winsor might bring a similar request to the Town of Burrillville since that community, although not within the East Bay, has supported similar requests in the past.

Prior to the Council's consideration of the next agenda item, Councilman Herreshoff suggested that the Council may wish to consider his memorandum concerning the Council's "matching donation" program that it has in partnership with Save the Bay.

Councilman Herreshoff suggested that the Council may wish to disburse partial payments rather than waiting to disburse the entire budgeted amount of \$15,000 once matched.

Councilwoman Parella stated that she worked on the details of the matching grant program and was unaware of any stipulation that required that the entire amount should be disbursed at one time. She added that the Clerk and/or Treasurer should be able to voucher a matching amount, based upon the Council's overall approval of the budget for FY 2010-2011 which includes \$15,000 for this purpose. She also stated that it would be advisable for Save the Bay to present an "invoice" in order to elicit the payments.

The Clerk agreed to contact Jonathan Stone of Save the Bay and ask for an "invoice" and to process the payment in cooperation with Town Treasurer Goucher. Councilman Herreshoff suggested that the Council might receive regular reports on the matching funds program with the Clerk agreeing to provide same.

Councilman Herreshoff reminded those present that the Council's matching funds program is ongoing until the maximum amount of \$15,000 is met. He encouraged Bristol citizens to make contributions that will be matched 100% by the Town.

2. Marcia MacClary, Director of Public Affairs, Weaver's Cove Energy re request for submission of proposed questions prior to scheduling possible meeting dates, **continued from June 16, 2010**

- a. Council Clerk Cirillo to Marcia MacClary, Director of Public Affairs,

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Weaver's Cove Energy re response to
letter of June 14, 2010 concerning
question and answer forum

*It is hereby noted for the record that this matter was
discussed in combination with agenda item B3.*

Herreshoff/Barboza - Voted
unanimously to appoint Messrs.
Tamaro and Barosh along with
Councilman Herreshoff to constitute
the "blue ribbon committee," to
authorize advertising for
additional members as specified by
the committee and also to instruct
the Clerk to arrange an inaugural
meeting of the committee.

Prior to the vote taken, Council Chairman Marshall expressed
concern that the LNG opposition is becoming "fragmented" and
appointment of a "blue ribbon committee" by the Council may
be better served if the committee was regional representing
the various cities and towns.

Council Chairman Marshall suggested that Mr. Tamaro might be
asked to work along with Mr. Lynn (see item B4 below) and
advise the "Congress of Councils."

Mr. Tamaro informed the Council that he did not take the
lead in finding members to serve on a blue ribbon committee
since he was not personally familiar with the identity and
qualifications of many local engineering experts. He stated
that he was willing to serve but that the Council might
determine the needed areas of expertise and also which
persons possess that particular capability.

Mr. Tamaro expressed frustration that the information that
is related to the Weaver's Cove application has been deemed
"secret for National security" which makes it difficult to
obtain and evaluate.

Councilman Herreshoff suggested that the opposition should
concentrate on the cryogenic pipe planned for the project
since this appears to be an untested element of the plan.
He added that it may be easier to obtain information
regarding a single aspect of the project since it may not be
possible for Weaver's Cove to "hide" every single aspect
under the guise of National security.

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Councilman Herreshoff asked Town Solicitor Ursillo if the Town would have specific access to any documents withheld by Weaver's Cove with Town Solicitor Ursillo responding that only those documents that were in the "public forum" would be available generally. He added that the case of Weaver's Cove is negatively impacted when the firm is not forthcoming with requested information.

Councilman Barboza suggested that Rep. Raymond E. Gallison, Jr. may be in receipt of certain documents that could possibly be of use to Mr. Tamaro.

Council Chairman Marshall noted that the cryogenic pipe at the Weaver's Cove project, if built, will be the longest one of its kind.

Councilman Herreshoff stated that he has some acquaintances at Massachusetts Institute of Technology (MIT) who may be willing to assist.

Mr. Tamaro suggested that the first question posted to the Weaver's Cove representatives should enquire as to when they plan to release the details of their plans so that these may be scrutinized.

Councilman Cordeiro thanked Mr. Tamaro for his willingness to be of assistance and also for his suggestions.

Councilwoman Parella agreed with Councilman Cordeiro and stated that she was certain that Mr. Tamaro and Mr. Patrick Barosh (the geologist) would be of great assistance.

Mr. Tamaro suggested that Mr. Barosh should be part of the "blue ribbon" group with Councilman Herreshoff in agreement. Councilwoman Parella suggested that Councilman Herreshoff, Mr. Tamaro and Mr. Barosh might work with the Clerk in order to determine which engineering disciplines could "round out" the "blue ribbon" committee. Mr. Tamaro questioned as to how the additional persons would be identified with Councilman Herreshoff suggesting that the Council may wish to place a public service advertisement once a profile of the needed person(s) is established.

Council Chairman Marshall stated that Mr. Tamaro appeared to be well qualified to serve on the committee.

Councilwoman Parella asked to know if Mr. Tamaro was aware if Mr. Barosh would serve also with Mr. Tamaro responding that Mr. Barosh was aware of the possibility of a "blue

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ribbon" committee and that he (Mr. Barosh) would likely agree to serve also.

It was agreed that the Clerk would arrange a preliminary meeting of the group.

Jack Baillarger of 7 St. Anna Avenue suggested that the Council may wish to investigate the problems with navigation as might be found in past studies relating to the Newport/Pell Bridge. The Council agreed that this may be a useful investigation.

3. George J. Tamaro, P.E., Consulting Engineer, 53 Shore Road re establishment of a "blue ribbon" panel to provide technical expertise concerning Weaver's Cove Energy LNG proposal

It is hereby noted for the record that discussion and action on this agenda item took place concurrently with agenda item B2.

4. Councilman Barboza re request of Mr. Dick Lynn, representing the Jamestown LNG Threat Committee, for permission to address the Council

It is hereby noted for the record that action on this agenda item took place concurrently with agenda item B1.

Prior to the vote taken, Councilman Barboza noted that he was introduced to Mr. Lynn during the recent ceremonies concerning the passage of minimal bridge clearance legislation held at the Mount Hope Bridge.

He introduced Mr. Lynn who explained that the Jamestown Town Council empowered the LNG Threat Committee approximately two (2) months ago and that there is also a desire to establish a "congress of (town and city) councils" which invite State Officials to Jamestown in order to "unify and come up with a strategic plan" concerning the transportation of LNG in Narragansett Bay.

Mr. Lynn noted that the initial plan invites participation from Aquidneck Island but that he is of the opinion that all communities in Rhode Island should take part.

Mr. Lynn noted that a meeting is planned for Wednesday, September 8, 2010 at the Jamestown Recreation Hall. He added that Evan Smith will determine the place for the Strategic Plan meeting.

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Councilwoman Parella suggested that this meeting of the various Town Councils should be considered a "press event" and that media representatives should be invited in order to report on the "united front" of the various communities.

Councilman Barboza asked to know if the plan will include the neighboring communities in Massachusetts with Mr. Lynn responding affirmatively.

5. Council Chairman Marshall - request for consideration of draft RFP for Performance Audit of the Bristol County Water Authority and to schedule a tri-Town workshop (combined with CDM's Final Report re Evaluation of BCWA), **continued from June 16, 2010** (schedule tri-Town meeting for date certain)

Cordeiro/Parella - Voted
unanimously to continue this matter
until the meeting of July 28, 2010.

Prior to the vote taken, the Clerk noted that he had not yet scheduled the requested tri-Town meeting due to the busy 4th of July schedule.

Town Solicitor Ursillo agreed to provide via e-mail copies of additional documents related to the matter.

6. Domenic Raiola, 45 Shore Road re flooding from recent storm, **continued from June 16, 2010**

Cordeiro/Parella - Voted
unanimously to continue this matter
until the meeting of July 28, 2010.

Prior to the vote taken, Town Administrator Mederos reported that Sen. Whitehouse's office has been most cooperative with this matter and is attempting to resolve the matter on behalf of Mr. Raiola.

Council Chairman Marshall stated that Sen. Whitehouse's office is "stressing FEMA to do what it right" in this particular case.

7. Joseph Lawrence, 12 Herzig Street - request on behalf of Herzig Street residents for reimbursement re recent sewer lateral provided to 8 Herzig Street, **continued from June 16, 2010**

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Herreshoff/Cordeiro - Voted
unanimously to approve this
petition per the provisions of the
Town Ordinance.

Prior to the vote taken, Town Solicitor Ursillo reported
that this matter was similar to the one to be considered
below and should be decided along with agenda item J3.

He explained that he spoke with Water Pollution Control
Superintendent Calderiso concerning this matter and that the
Town will collect funds from those tying in to privately
installed sewer lines and provide these funds to the party
who paid for the initial installation less ten percent (10%)
of the total as an administrative fee.

**ADD ITEM 8. Councilman Herreshoff re winter moth
infestation**

Councilman Herreshoff explained his memorandum, presented as
an Add Item for Council consideration, that he was
interested to know the results of the winter moth spraying
program.

Town Solicitor Ursillo explained that the Council could not
specifically vote on this item since it was not part of the
duly advertised agenda.

Town Administrator Mederos agreed to provide the Council
with a report on the winter moth spraying program. She added
that the spraying went smoothly and agreed that it would be
beneficial to have a report on the program so as to
facilitate any need for future winter moth mitigation.

BB. SPECIAL /STATUS REPORTS

1. Bristol County Water Authority - Annual
Report for 2010

Barboza/Cordeiro - Voted
unanimously to receive and place
this matter on file.

C. PUBLIC HEARINGS

1. Ordinance #2010-03, CHAPTER 28, Zoning,
Articles I through XI, Divisions 1 through 6,
Sections 28-1 through 28-411, (various
amendments to the Zoning Ordinance), **2nd
reading for adoption (continued from June 16,**

**2010 concerning only proposed Section 28-150
(j), Special use standards for wind energy
conversion systems)**

Herreshoff/Barboza - Voted
unanimously to continue the public
hearing until July 28, 2010.

Prior to the vote taken, the Clerk reported that Director of
Community Development Williamson requested a continuance of
this public hearing.

*It is hereby noted for the record that the action on this
particular agenda item took place at the commencement of
this evening's regular agenda.*

2. William Hicks, Mill Pond Building and Design,
d/b/a The Knotty Dog, 31 Bradford Street -
request for a Junk and Second Hand Dealer's
License

Barboza/Cordeiro - Voted
unanimously to close the public
hearing.

Barboza/Parella - Voted unanimously
to grant this license per the
recommendation received and also
subject to conformance to all laws
and ordinances and payment of all
taxes, fees, and levies.

Prior to the vote taken, Council Chairman Marshall opened
the public hearing.

Speaking in favor of the petition was Linda C. Arruda of 159
High Street. Ms. Arruda informed the Council that the Town
is fortunate to have Mr. Hicks as a local merchant and that
his establishment is of good quality.

Mr. Hicks informed the Council that he would like to have a
Junk and Second Hand Dealer's License in order to sell
antique furniture and furnishings along with his other
wares.

There was no remonstrance presented in opposition to this
license.

D. ORDINANCES

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1. Ordinance #2010-03, CHAPTER 28, Zoning, Articles I through XI, Divisions 1 through 6, Sections 28-1 through 28-411, (various amendments to the Zoning Ordinance), **2nd reading for adoption (continued from June 16, 2010 concerning only proposed Section 28-150 (j), Special use standards for wind energy conversion systems)** (see item C1 also)

It is hereby noted for the record that action on this agenda item took place as part of agenda C1 above.

2. Ordinance #2010-11, CHAPTER, Motor Vehicles and Traffic, Article IV, Operation of Vehicles, Section 16-114, Stop intersections designated, (Four-way Stop at Thames and Constitution Streets), **2nd reading for adoption**

Cordeiro/Parella - Voted
unanimously to consider this action
to constitute the Second Reading
for adoption of Ordinance #2010-11.
Advertise in local newspaper.

After the vote taken, Council Chairman Marshall asked to know when the new signs will be installed with Town Administrator Mederos reporting that this action will be given to Public Works Director Serbst immediately and that the Public Works Department will likely install these signs shortly thereafter.

3. Ordinance #2010-12, CHAPTER, Environment, Article II, Noise, Section 10-41, Specific prohibited acts, (fine imposed for disorderly house violation), **2nd reading for adoption**

Barboza/Cordeiro - Voted
unanimously to consider this action
to constitute the Second Reading
for adoption of Ordinance #2010-12,
amending same to include a
provision for a \$500 fine in any
case. (The original ordinance
language allowed for a reduced
maximum fine of \$100 for a first
offense.) Advertise in local
newspaper.

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Prior to the vote taken, Councilman Barboza noted that the Noise Committee appeared to be in agreement that a first offense disorderly house violation should be assessed a fine of \$500.

Councilman Herreshoff stated that he was generally in favor of the Council's desire to provide for punitive measures but questioned if the fine was too high.

Town Solicitor Ursillo noted that the Ordinance would be subject to the accused right to due process and that the Municipal Court Judge would impose the fine after the finding of guilt.

Councilman Barboza noted that Municipal Court Judge Grasso was present at the meeting when this matter was discussed and was aware of the provisions for a \$500 fine.

(CA) E. BUDGET ADJUSTMENTS

Approval of consent agenda="Motion to approve these adjustments."

(CA) F. APPOINTMENTS

Approval of consent agenda="Motion to approve advertising these Appointments."

1. Public Service Appointments

a. Historic District Commission (term to expire July, 2013)

1. Melanie Wolfe - not seeking reappointment
2. Georgina Macdonald, 125 Poppasquash Road - interest/appointment

Barboza/Cordeiro - Voted unanimously to send a letter of thanks for service to Melanie Wolfe.

Barboza/Cordeiro - Voted unanimously to instruct the Clerk to advertise for the vacancy and also to schedule interviews for all applicants at a convenient time.

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G. LICENSING BOARD - NEW PETITIONS

1. William Hicks, Mill Pond Building and Design, d/b/a The Knotty Dog, 31 Bradford Street - request for a Junk and Second Hand Dealer's License (see item C2 also)

It is hereby noted for the record that action on this agenda item took place as part of agenda item C2.

2. Michael B. Siino, d/b/a Nacho Mamma's Kitchen, 76 State Street - request to modify days of operation (Victualling License)

LATE ITEM

- a. Recommendation - Town Administrator and Chief of Police

Barboza/Cordeiro - Voted unanimously to grant this amendment to the scheduled days of operation as requested per the recommendations received.

3. Scott DaSilveira, 280 Market Street, Warren, d/b/a Scotts Landscape Management Corp. - request for a Drainlayer's License

Cordeiro/Parella - Voted unanimously to grant this license subject to the receipt of a positive recommendation from Public Works Director Serbst and also subject to any and all conditions that may be stipulated by the Director.

4. Ardy Jagne, d/b/a My Shisha, 261 Wood Street - request for a Victualling License

LATE ITEM

- a. Recommendation - Water Pollution Control Facility

Barboza/Herreshoff - Voted unanimously to continue this matter until the meeting of July 28, 2010 in order to allow Mr. Jagne the opportunity to submit a more complete petition.

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Prior to the vote taken, Councilman Barboza expressed concern that the petition of Mr. Jagne appeared to be inconsistent with the correspondence supplied by Water Pollution Control since this would lead the reader to assume that Mr. Jagne wished to open a "bar" and café.

Councilman Barboza noted that there was no application for a liquor license and also that it was Council policy not to license "bars."

Mr. Jagne stated that he envisions the establishment to have a bar that would serve coffee and soft drinks with Councilman Barboza asking if Mr. Jagne had no plan to later ask for an intoxicating beverage license.

Councilman Cordeiro noted that he was familiar with Mr. Jagne who is associated with Roger Williams University.

Mr. Jagne confirmed that he did not plan to sell intoxicating beverages.

Councilman Herreshoff noted that he would like to have a more detailed description of the planned establishment prior to the granting of a Victualling License.

Councilman Cordeiro noted that Mr. Jagne seems to be still finalizing his plan and that the Council may wish to grant a continuance on this matter in order to allow Mr. Jagne to do so.

Councilwoman Parella asked to know if Mr. Jagne plans to model his establishment after any other local establishments with Mr. Jagne noting that he plans for his establishment to be modeled after similar places found in West Africa. He further explained that there are several of these in Providence and that all serve alcohol. He noted that he would serve "smoothies" with "our own little twist."

Councilwoman Parella stated that it was a good idea to have some new establishments that would provide diversity with atypical offerings of food, etc. She added that the word "bar" tends to "raise flags" and that this connotation may be problematic.

H. LICENSING BOARD - RENEWALS

1. Private Investigators License renewals for 2010-2011

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- LATE ITEM** a. Recommendation - Town Administrator and Chief of Police

Cordeiro/Herreshoff - Voted unanimously to grant these license renewals based upon the recommendations received and subject to conformance to all laws and ordinances and payment of all fees, taxes, and levies.

(CA) I. UTILITY PETITIONS

Approval of consent agenda="Motion to approve these petitions."

- (CA)** 1. DPW - Road Cut Permit
2. The National Grid and Verizon - request to install two (2) poles on Clipper Way

- LATE ITEM** a. Recommendation - Director of Public Works

Cordeiro/Parella - Voted unanimously to grant this request per the recommendation received.

J. PETITIONS - OTHER

1. Joyce A. Walker, 235 School Street, Westminster, Vermont - request consideration to allow the operation of a mobile catering truck

- LATE ITEM** a. Recommendation - Town Administrator and Chief of Police

Herreshoff/Barboza - Voted unanimously to refer this matter to the Town Solicitor in order that he might advise the Council regarding same.

Prior to the vote taken, the Clerk informed the Council that this petition is similar to one granted and later revoked as a "hawkers and peddlers" license by Biggie's Sausages in the past. He noted that the Council appeared to be in agreement that this type of establishment was not suitable in the case of Biggie's.

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He added that absent the "hawkers and peddlers" license there did not appear to be a license available for a stationary catering truck in Bristol and that the petitioner was seeking advice from the Council.

The petitioner informed the Council that she was in receipt of permission from Mr. John Francis IV to park her catering vehicle on his property near his Metacom Avenue auto salvage yard and operate at that location. It was noted that the vehicle is now operating successfully in Keene, New Hampshire and that the Town of Keene granted a license for its operation.

Councilman Herreshoff asked to know if the petitioner planned to remain stationary at all times with the petitioner responding affirmatively; adding that the operation did not have short-term portability.

The Clerk reminded the Council that it does not have a particular license to allow operation of this type of establishment.

Town Solicitor Ursillo noted that this appears to be a type of "restaurant" but agreed that the available "victualling house" license did not seem applicable. He noted that the matter required additional investigation.

Councilwoman Parella asked to know if the aspirant proprietor had done a market analysis and that she was not certain that this type of establishment would succeed in consideration of the many restaurants already operating in the area.

Councilman Barboza asked to know the planned hours of operation with the petitioner responding that the truck would operate from 7:30 o'clock AM until 5 o'clock PM and that it would cater to "working people" with inexpensive, good food.

Council Chairman Marshall suggested that the petitioner should provide copies of their existing permits, etc., to the Clerk's office.

2. Judith M. Anderson, 117 Constitution Street, et al - request to enact proposed ordinance amendment (pursuant to Town Charter Section 503) to Chapter 14 of the Town Code re Historic Preservation

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- a. Town Charter Section 503, Voter initiative

Cordeiro/Parella - Voted unanimously to refer this matter to the Town Solicitor and to continue said matter until the meeting of July 28, 2010.

Prior to the vote taken, Town Solicitor Ursillo informed the Council that the information provided on the petition was legally flawed since it would not be possible to allow individuals to "opt-out." He added that it appeared that the petitioners wished to repeal the ordinance and that he would be available to work along with Ms. Anderson in order to provide appropriate wording. He added that since the petition was not in proper form, the Council should withhold its discussion until the wording is repaired.

3. Valentina Rogers, 8186 Shore Crest Court, Springhill, Florida - request for reimbursement as neighbors tie into sewer at 17 Dixon Avenue

Herreshoff/Cordeiro - Voted unanimously to approve this petition per the provisions of the Town Ordinance.

Prior to the vote taken, Town Solicitor Ursillo reported that this matter was similar to the one to be considered above and should be decided along with agenda item B7.

4. Cathleen Balbato, 17 Sowamsett Avenue, Warren re claim for property damage

Cordeiro/Parella - Voted unanimously to refer this matter to the Town Solicitor and the Interlocal Trust.

5. Janet Bielecki, 59 Smith Street - request for removal of two (2) existing outhauls located in front of property

Herreshoff/Barboza - Voted unanimously to refer this matter to the Town Solicitor.

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Prior to the vote taken, Council members noted that this might be a matter for the Harbor Master with the Clerk noting that the Harbor Master's office referred the matter to the Council.

Councilman Cordeiro agreed to discuss this matter also with the Harbor Master's office.

K. OTHER NEW BUSINESS REQUIRING TOWN COUNCIL ACTION

1. Resolution - Authorizing the Assessment of Valuations and levy of Taxes, Sewer Service Fees and Sewer Assessments

Barboza/Cordeiro - Voted
unanimously to adopt this
resolution as prepared and
presented.

Prior to the vote taken, Councilman Herreshoff asked to know the Tax Rate with Tax Assessor Spagnolo reporting that the rate is planned to be \$10.37 and the Sewer Use Fee is planned at \$412.12.

2. Patrick C. Lynch, Attorney General re 2010 Open Government Summit, July 30, 2010

Barboza/Cordeiro - Voted
unanimously to receive and place
this matter on file.

Prior to the vote taken, the Clerk noted that this program has been very informative in the past and encouraged all Town Officials to attend if possible.

L. BILLS & EXPENDITURES

(CA) M. ROUTINE REPORTS

(CA) N. FINANCIAL REPORTS

Approval of consent agenda="Motion to receive and place this item on file."

1. (Town Treasurer Goucher) re Revenue and Expenditure Statement, June 30, 2010

P. PROCLAMATIONS & CITATIONS

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1. Commendation - Special Olympics Track & Field and Unified Bowling Team Competitions

Barboza/Parella - Voted unanimously to adopt this Commendation as prepared and presented.

2. Proclamation - Bristol Good Neighbors Soup Kitchen, 20th Anniversary

Barboza/Parella - Voted unanimously to adopt this Proclamation as prepared and presented.

3. Proclamation - Ponta Delgada Rotary Club, visit to Town

Barboza/Parella - Voted unanimously to adopt this Proclamation as prepared and presented.

(CA) R. DISTRIBUTIONS/COMMUNICATIONS (to be received and filed by Council)

Approval of consent agenda="Motion to receive and place these items on file."

1. Town Clerk Cirillo to Director of Public Works Serbst re handicap parking space in vicinity of 18 First School Street
2. U.S. Congressman Patrick J. Kennedy to H. Curtis Spalding, Environmental Protection Agency re request opportunity for Town of Bristol to discuss water quality issues
3. Coastal Resources Management Council - public hearing re consideration of proposed program changes, June 22, 2010 (rescheduled from May 11, 2010)
4. Coastal Resources Management Council - Semi-Monthly Meeting, June 22, 2010
5. Warrant - John Motta, Assistant Harbor Master
6. Donna A. Morelle, EdD, Cumberland Public Schools Superintendent - request for support

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of resolution re passage of fair funding formula and resolutions in opposition to H 7581; legislative amendment mandating binding arbitration for teacher and other school employee contracts and S 2603; legislative amendment mandating expired teacher contracts must continue all the existing terms and conditions of employment

7. Coastal Resources Management Council - public hearing re consideration of proposed program changes, August 24, 2010
8. R. Jeffrey Hirsch, d/b/a The Lobster Pot, 119-121 Hope Street - Dancing and Entertainment License Renewal petition (granted June 16, 2010)
9. Michael P. Lewis, Director, RI Department of Transportation to Town Administrator Mederos and Council Clerk Cirillo re response to May 4, 2010 correspondence concerning request to include Tanyard Brook improvements with Hope Street Resurfacing Project
10. Town Administrator Mederos to Michael P. Lewis, Director, RI Department of Transportation re pedestrian crossing at intersection of Hope and Chestnut Streets
11. Coastal Resources Management Council - July 2010 Calendar
12. Resolution - Adopted 2010-2011 Budgets: Operating, Capital and Sewer (signed copy)
13. Resolution - 2010 Bristol Fourth of July Celebration (signed copy)
14. Rhode Island Department of Environmental Management, Office of Water Resources/Water Quality Certification Program - notice re consideration of application to perform repairs of existing failed drainage pipes and severely washed-out riverbanks at St. Mary's Church Cemetery
15. Warrants - Special Constables/Fire Police for 2010 Fourth of July Celebration

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16. Warrant - George Seyer, III, Special Constable/Fire Police
17. Warrants - Special Constables for 2010 Fourth of July Celebration

(CA) RR. DISTRIBUTIONS/NOTICE OF MEETINGS
(office copy only)

Approval of consent agenda="Motion to receive and place these items on file."

1. Bristol Warren Regional School District - Schedule of Meetings, Week of June 14, 2010
2. Bristol Warren Regional School Committee - Workshop/Meeting, June 14, 2010
3. Bristol Warren Regional School Committee Personnel/Contract Subcommittee - June 14, 2010
4. Harbor Commission - Special Meeting and Appeals Hearing, June 17, 2010
5. Bristol County Water Authority - July 2010 Meetings
6. Bristol Warren Regional School District - Schedule of Meetings, Week of June 21, 2010
7. Bristol Warren Regional School Committee Budget/Facilities Subcommittee - June 21, 2010
8. Bristol Warren Regional School District - Schedule of Meetings, Week of June 28, 2010
9. Bristol Warren Regional School Committee Personnel/Contract Subcommittee - June 28, 2010
10. Bristol Warren Regional School Committee - June 28, 2010
11. North and East Burial Grounds Commission - September 27, 2010
12. Zoning Board of Review - July 12, 2010

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13. Fire Department (& Rescue/Training Headquarters) Capital Project Committee - June 24, 2010
14. Building Code Board of Appeals - July 14, 2010
15. Bristol Warren Regional School District - Schedule of Meetings, Week of July 5, 2010
16. Bristol Warren Regional School Committee Policy/Community Affairs Subcommittee - July 6, 2010

S. TOWN SOLICITOR

Z. INDIVIDUAL COUNCIL MEMBERS AGENDA ITEMS

1. MARSHALL

a. Thank You Mike Davis - Council Chairman
Marshall thanked Mr. Davis for his usual taping of the Council proceedings.

b. Thank You for Independence Day Work - Council Chairman Marshall noted thanks to the Police, Fire and Emergency Services, Public Works, Harbor Patrol and the 4th of July Committee for their work on the annual celebration.

c. Thank You Chief Marshal Association - Council Chairman Marshall thanked the members of the former Chief Marshal's association for their work on the Independence monument dedicated on July 4. He asked that the Clerk might send a letter of thanks on behalf of the Council.

d. DeSisto Invoice - Council Chairman Marshall noted the receipt of an invoice from Attorney Anthony DeSisto for work done regarding the Mount Hope Farm mortgage. He asked that this might be placed on the next agenda.

2. CORDEIRO

a. July 4, 2010 - Councilman Cordeiro noted that the annual celebration was a great success and echoed Council Chairman Marshall's thanks to the various participants. He also offered his

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congratulations to Chief Marshal S. Dudley Hallagan.

b. Fourth Speaker - Councilman Cordeiro offered his congratulations to the annual speaker of the day, Rev. Daniel Randall.

3. PARELLA

Independence Day - Councilwoman Parella echoed the sentiments expressed by Council Chairman Marshall and Councilman Cordeiro regarding the annual 4th of July Celebration.

Rubbish Removal and Recycling - Councilwoman Parella commented that the Town was thoroughly cleaned by the Public Works Department and that she was of the opinion that the fairly recent Town policy to provide rubbish containers seemed to be helpful toward that end.

Councilwoman Parella suggested that the Town might provide separate bags to accept recyclable materials in the future with Town Administrator Mederos agreeing to investigate the possibility of providing same for the event.

4. BARBOZA

a. Mount Hope Farm - Councilman Barboza noted that Mount Hope Farm will be having its annual "Summertime Jazz" event on August 1, 2010 and suggested that those wishing to purchase tickets should call the office at 254-1745. He noted that the response thus far has been very positive.

b. Cousins from Virginia - Councilman Barboza noted that he has cousins visiting from Virginia and offered a welcome on behalf of the Council.

5. HERRESHOFF

a. Annapolis Visitor - Councilman Herreshoff echoed the earlier sentiments concerning Independence Day and noted that there were visitors from Annapolis, Maryland at the Herreshoff Museum and that the celebration "blew away" these persons. He added his annual comment that the fireworks would fit better into the celebration were these to take place on the night

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after the parade rather than the night before as was the old tradition.

b. Ferry Road Pavement - Councilman Herreshoff noted that he was "distressed" regarding the poor quality of the new pavement on Ferry Road.

Councilman Cordeiro expressed equal distress to learn that there are new state road improvements along Route 103 in Warren and the Hope Street improvements remain undone.

Town Administrator Mederos reported that the design work on the Hope Street project is progressing and that the State will provide funds for additional local road work.

ZZ. TOWN ADMINISTRATOR AGENDA ITEM(S)

a. Rotary Club of Ponta Delgada Azores - Town Administrator Mederos observed that representatives from the Rotary Club of Ponta Delgada Azores were visiting in Town.

b. Mayor and Firemen's Band of Vila Franca - Town Administrator Mederos reported that the Mayor of Vila Franca, Azores, and the Town's Firemen's Band participated in the annual Fourth of July Parade.

c. Thank You for Fourth of July - Town Administrator Mederos expressed her gratitude to the various workers who helped make this year's celebration a success and also thanked the various visitors for assuring a safe holiday.

d. Family Circle Magazine - Town Administrator Mederos reported that Bristol was chosen as one of the top ten places for families to reside in the United States. She thanked the Cloutier family for their kind remarks noting that the family "did a great job" in its description of the Town.

CITIZENS PUBLIC FORUM

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There being no further business, upon a motion by Councilman Herreshoff, seconded by Councilman Cordeiro and voted unanimously, Council Chairman Marshall declared this meeting to be adjourned at 9:20 o'clock PM.

Louis P. Cirillo, CMC, Council Clerk